

Remarks

This supplemental amendment is being filed with the permission of Examiner Boesen. Applicants would like to thank Examiners Boesen and Chen for the courtesy extended to the undersigned attorney during the telephone interviews on October 3 and November 27, 2007. The substance of those interviews is discussed below.

By the above amendments, claim 13 has been cancelled and claim 1 has been amended to recite the limitations of previously presented claim 13. Claims 1, 2, 14-33, 51, 52, 55, and 56 are pending.

Agreement was reached during the November 27, 2007, interview that the claims as presented overcome all bases of rejection raised in the June 29, 2007, office action and discussed during the above-noted interviews. Specifically, the following rejections should be withdrawn based upon the amendments and arguments presented in the response filed on September 18, 2007:

- (1) the rejection of claims 14 and 15 under 35 U.S.C. § 112 (first paragraph) for lack of written descriptive support ;
- (2) the rejection of claims 1, 2, 5, 6, 9-33, 50-52, and 54 under 35 U.S.C. § 102(b) as anticipated by Foster et al., *Vox Sanguinis* 78:86-95 (2000) as evidenced by the Affinity Chromatography data sheet, Cat #28 A21DS ("Affinity data sheet");
- (3) the rejection of claims 1, 2, 5, 6, 9-33, 53, and 54 under 35 U.S.C. § 103(a) for obviousness over U.S. Patent No. 6,221,614 to Prusiner et al. in view of Kragten et al., *J. Biol. Chem.* 273:5821-5828 (1998) and the Affinity data sheet; and
- (4) the provisional obviousness-type double patenting rejection of claims 1, 2, 5, 6, and 8-33 over claims 1-20 of co-pending U.S. Patent Application Serial No. 10/962,670.

In addition, the rejection of claims 1, 2, 5, 8, 9-33, and 50-54 under 35 U.S.C. § 112 (first paragraph) for lack of enablement should be withdrawn based on the amendments presented herein and in the response filed on September 18, 2007.

For these reasons, applicants submit that this case is in condition for allowance and such allowance is earnestly solicited.

Respectfully submitted,

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